

DEFENDANT'S FOIA VIOLATION

6. On May 1, 2018, Plaintiff requested from DHS, among other things: records regarding downgrading, eliminating, or suspending the homeland threats division mission focus on Domestic Terrorism, Homegrown Violent Extremism, and Countering Violent Extremism since 2017 and 2018; records related to the April 3, 2018 DHS senior leadership meeting regarding how I&A staff proposed to end ongoing analytic inquiries, the reassignment and physical relocation of analysts to various DHS components to provide investigative support, federating I&A staff, reorganizing I&A, or transferring any of their work to other U.S. government agencies, departments, and bureaus; and correspondence with Secretary Kirstjen Nielsen regarding the same topics. A true and correct copy of the full request is attached as Exhibit A.

7. On June 12, 2018, DHS responded with an acknowledgment letter, invoking a 10-day extension of the request due to the "increasing number of FOIA requests received by this office." A true and correct copy of the response is attached as Exhibit B.

8. DHS has not responded further to the request or produced any records.

COUNT I – VIOLATION OF FOIA

9. The above paragraphs are incorporated herein.

10. Defendant is an agency subject to FOIA.

11. Plaintiff made a FOIA request to Defendant for agency records of Defendant.

12. One or more of the requested record are not exempt from disclosure.

13. Defendant has failed to produce the requested records.

WHEREFORE, Plaintiff asks the Court to:

- i. Order Defendant to conduct a reasonable search for records and to produce all non-exempt requested records within 90 days of service of this Complaint;

- ii. Award Plaintiff attorney fees and costs; and
- iii. Enter any other relief the Court deems appropriate.

DATED: December 12, 2018

Respectfully Submitted,

/s/ Joshua Hart Burday

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